

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

OCT 16 2017
10-16-2017
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

RICHARD BARNETT,
also known as "davidbanks1014"

CASE NUMBER:

17CR 676

MAGISTRATE JUDGE VALDEZ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Count One – Production of Child Pornography

On or about June 5, 2017, at Aurora, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendant, RICHARD BARNETT, a/k/a "davidbanks1014," violated:

Code Section

Title 18, United States Code, Section 2251(a).

Offense Description

knowingly used, persuaded, induced, enticed, and coerced a minor (Victim D) to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in interstate commerce.

Count Two – Transportation of Child Pornography

On or about May 29, 2017, at Aurora, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendant, RICHARD BARNETT, a/k/a "davidbanks1014," violated:

Code Section

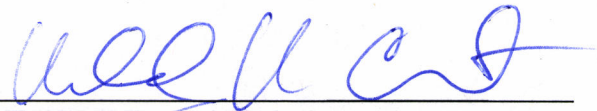
Title 18, United States Code, Section 2252A(a)(1).

Offense Description

knowingly transported child pornography using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means (Victim B).

This criminal complaint is based upon these facts:

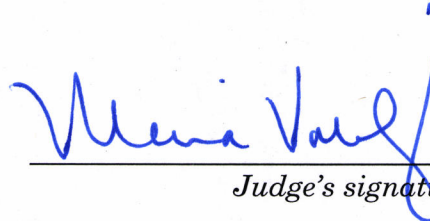
X Continued on the attached sheet.



KIMBERLY K. CASTRO, Special Agent
Federal Bureau of Investigation

Sworn to before me and signed in my presence.

Date: October 16, 2017



Judge's signature

City and state: Chicago, Illinois

MARIA VALDEZ, Presiding United States
Magistrate Judge

Printed name and Title

UNITED STATES DISTRICT COURT)
)
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I, Kimberly K. Castro, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI").

I have been so employed since approximately November 1995.

2. As part of my duties as an FBI Special Agent, I investigate criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2251, 2252 and 2252A. I have received training in the area of child pornography and child exploitation, and have observed and reviewed numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in multiple forms of media, including computer media. I also have participated in the execution of multiple federal search warrants, many of which have involved child exploitation and/or child pornography offenses.

3. This affidavit is submitted in support of a criminal complaint alleging that RICHARD BARNETT ("BARNETT"), also known as "davidbanks1014," has violated Title 18, United States Code, Sections 2251(a) and 2252A(a)(1). Because this affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging BARNETT with the production and transportation of child pornography, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are

necessary to establish probable cause to believe that the defendant committed the offenses alleged in the complaint.

4. The statements in this affidavit are based on my personal knowledge, as well as information that I have received from other law enforcement personnel and other persons with knowledge regarding relevant facts.

5. At points throughout this affidavit, I interpret the meaning of communications. These interpretations are based upon my experience and training, the context of the communications being interpreted and all of the other evidence that I have gathered to this point in the investigation.

SUMMARY OF THE INVESTIGATION

6. As set forth below, the FBI is investigating an adult subject who, posing as an adolescent on the Internet web site musical.ly using the account name "davidbanks1014," has solicited, and successfully induced, multiple minor-aged females to (a) generate visual depictions of themselves engaged in sexually explicit conduct, and (b) transmit those visual depictions to the subject over the internet. The subject has also transmitted some of those same images back to the minor females over musical.ly. The subject has also threatened to kidnap, rape and murder some of the minor female victims.

7. Subsequent investigation has identified BARNETT as the individual who engaged in the foregoing offenses using the musical.ly account davidbanks1014.

FACTS ESTABLISHING PROBABLE CAUSE

A. Internet Protocol Addresses

8. Internet Protocol ("IP") addresses facilitate transfer of data over the Internet. An IP address is unique to a particular subscriber during an online session. The IP address provides a unique locator, making it possible for data to be transferred between computers. Specifically, an IP address is a series of four numbers separated by periods, and each of the four numbers is a whole number between 0 and 255. An example of an IP address is 192.168.10.102. Each time an individual accesses the Internet, the computer from which that individual initiates access is assigned an IP address.

9. A central authority provides each Internet Service Provider ("ISP") a limited block of IP addresses for use by that ISP's customers or subscribers. Many ISPs employ dynamic IP addressing; in other words, they allocate an unused IP address each time a customer or subscriber accesses the Internet. The ISP logs the date, time, and duration of the Internet session for each IP address and can identify the user of that IP address for a particular session from these records. Typically, home users will be assigned an IP address for the duration of a session. In the case of dial-up modems, a user's IP address is released when the user's computer disconnects from the telephone service, and that IP address is available for others to use. In the case of cable modems or DSL service, an IP address is commonly held by a user for a longer period of time, from days to months, until the provider chooses to change it.

10. ISPs typically retain records identifying the subscriber to whom a particular IP address was assigned, which allows investigators to identify the subscriber account to which data is sent, or from which data is received.

B. The Musical.ly Social Network Site

11. According to public source information and my investigation to date, I know that musical.ly is a social network site on the Internet. The developer of musical.ly is a company called Musical.ly, Inc. ("Musical.ly"), which has headquarters in Shanghai, China, and offices in San Francisco, California.

12. Users can access musical.ly by downloading onto their computer (including a tablet or cellular phone) a free software application (commonly known as an "app"). Each user is required to provide a self-selected username and a means of identification, which can be a cellular telephone number.

13. A musical.ly user has the ability to generate a video, generally lasting between 15 seconds and 1 minute, which the user can then share with others using the site. Users generating videos may select sound tracks to accompany the videos, use different speed options (time-lapse, slow, normal, fast, and epic) and add pre-set filters and effects. Users of the site can browse content uploaded by other users of the site, regardless of whether they create their own videos.

14. Users of musical.ly have the ability to "follow" certain users of interest and will receive notice when a followed user is online at the same time. Users of the site also have the ability to communicate privately with each other through a written chat format. Users can also download another free app (called live.ly) that allows

them to create a live video stream (*e.g.*, of themselves engaged in activity). The user presenting on live.ly can make their presentation generally available or restrict it to a limited number of people, including a single user. Users watching the presentation can, through a written chat format, communicate with the user who is streaming the live video presentation; in particular, any chat messages will appear on the screens of all users watching the user who is doing the live presentation. Written chats between users are recorded by musical.ly and retained by the site for a period of time. Users can delete their chat strings.¹

C. The Florida Investigation

15. On or about May 8, 2017, the Jacksonville (Florida) Sheriff's Office ("JSO") received a complaint from a local elementary school that several female children received obscene text messages via their cellular telephones. I have received copies of the JSO investigation report. The information set forth below is taken from that report.

16. One female victim, who was born in or around 2006, reported that she received sexually explicit messages over musical.ly from an individual with the username davidbanks1014. According to the victim, davidbanks1014 claimed to be 13 years old and advised the victim that he knew where she lived and that he was going to kidnap her.

¹ On or about October 15, 2017, I received an email from the Legal Department at Musical.ly. In that email, Musical.ly represented that, even when a user deletes a chat, the user's deletion of the chat does not result in deletion of that same chat from the Musical.ly network computers.

17. Two other victims, who were born in or around 2005 and 2006, also reported receiving sexually explicit messages over musical.ly from username davidbanks1014. The victims stated that davidbanks1014 claimed to be 13 years old and told them that he knew where they lived and that he was planning to kidnap them. These chats took place between May 6, 2017 and May 7, 2017. According to the parents of some of the children, davidbanks1014 further stated he would “kidnap, rape and kill” the victims if they told anyone what he said (quote is of the complainants as set forth in the JSO police report). The complainants further asserted that davidbanks1014 both (a) attempted to persuade the victims to put their hands down into their pants and rub their hands on their vaginas, and (b) requested that the victims record their faces while masturbating and transmit the video to him on the live option of the application. The complainants provided names of additional possible victims of davidbanks1014.

B. The Louisiana Investigation

18. On or about June 4, 2017, the Ouachita Parish (Louisiana) Sheriff's Office (“OPSO”) responded to a complaint filed by a parent of a nine year-old minor female (“Victim A”). Victim A's parent complained that, on or about June 2, 2017, Victim A, while using the musical.ly app, received inappropriate messages and was harassed by another user of musical.ly. According to the OPSO investigation report, Victim A's parent advised the OPSO that the purported sender of the inappropriate and harassing messages used the musical.ly screen name of “@davidbanks1014” or “David Banks.” Victim A and her parent each reported that the individual using the

account asked Victim A to touch her leg and, after Victim A touched her thigh, the individual responded by stating “no touch your candy” followed by an instruction for Victim A to put her hand down her pants and rub. Victim A also stated that every time she went onto musical.ly, the individual using the account logged onto musical.ly as well.

C. Records for Musical.ly Account davidbanks1014

19. On or about July 19, 2017, an OPSO investigator obtained a search warrant (issued by the Fourth Judicial District of the State of Louisiana – Ouachita Parish) and served it upon Musical.ly for various records, including subscriber information, chat logs and IP session logs for davidbanks1014 for the period of May 29, 2017, to June 10, 2017. Musical.ly provided records to the OPSO in response to the search warrant.

20. The chat logs reflect the date and time of message exchanges between davidbanks1014 and other musical.ly users during the subject time period. A review of chat logs received from musical.ly reflects that davidbanks1014 has contacted numerous minor females and asked them to engage in sexually explicit activity.² The identity of the victims as minors is confirmed by the images transmitted during the chats as well as the context of the chat conversations. Summaries of some of the chat communications between davidbanks1014 and four minor female victims, as revealed by the Musical.ly records, are set forth below.

² Most of these minor females are believed to have no connection to the minor females that were the subject of the Louisiana and Florida investigations.

Victim B

21. According to Musical.ly records, between on or about May 29, 2017, and on or about June 3, 2017, davidbanks1014 engaged in an online chat with another musical.ly user who, for the sake of privacy, is referred to herein as Victim B.

22. During a chat on or about May 29, 2017, davidbanks1014 stated to Victim B “loved your pics” and asked Victim B “were they really you?” After Victim B responded affirmatively (“ye”), davidbanks1014 replied by stating “soo hott” and thereafter asked Victim B “were you playing with it before you sent pics?” Victim B responded with “NO WHY,” after which davidbanks1014 replied “it was really red” and “like it was played with or touched.” After Victim B asked to see the image (“send me one that’s red”), davidbanks1014 transmitted to Victim B two images that, based on my experience and training, appear to depict a prepubescent female wearing a light colored shirt with her vagina exposed.³ After sending the image, davidbanks1014 stated “those are you.” Victim B responded “Oh ok.” After transmitting the image to Victim B, davidbanks1014 asked Victim B about whether she had sexual intercourse, and then further directed Victim B to “send me a pic of you spreading it open,” indicating that he wanted Victim B to send him an image of her labia separated.

23. Later in the chat, davidbanks1014 transmitted to Victim B four additional images that appear to depict a prepubescent female with her vagina

³ Also, in later discussion that evening about the images that Victim B transmitted to davidbanks1014, the chat participants refer to the images as depicting “pussy.”

exposed. Based upon the context of the chat, I believe that these four images are among those that Victim B originally transmitted to davidbanks1014. In particular, just prior to the time that davidbanks1014 transmitted the images, Victim B denied that she was the one depicted in the images that she transmitted to davidbanks1014, claiming instead that it was Victim B's friend using Victim B's cell phone. However, davidbanks1014 asserted that it must have been Victim B because Victim B's shirt matched the shirt worn by the individual depicted in the images. Thus, it appears from context that davidbanks1014 was transmitting the images back to Victim B to prove to Victim B that he knew it was her in the images.

24. Later in the chat, davidbanks1014 stated "I want to see it," an apparent reference to another image of Victim B with her vagina exposed. When Victim B refused and asked why, davidbanks1014 responded "cuz I do" and "I bet your pussy is soo hott." When Victim B again asked why, davidbanks1014 responded, "I like seeing," "I jerk off seeing them," and "its soo hot." Later in the chat, davidbanks1014 indicated that he wanted to perform oral sex on Victim B ("i wanna lick you"). Based upon the foregoing and all of the evidence in this case, I believe that davidbanks1014 directed Victim B, a prepubescent minor, to transmit to him another image of her exposed vagina with her labia separated for the sake of his own sexual pleasure.

25. In a later chat on June 3, 2017, davidbanks1014 instructed Victim B to "finger your pussy on live.. showing only your face." I interpret this to mean that davidbanks1014 directed Victim B to send a live streaming video to him using the live.ly app, but only showing her face while she engaged in masturbation.

26. According to the search warrant results from Musical.ly, Inc. during the course of the chat with Victim B, the davidbanks1014 account accessed musical.ly from IP address 73.9.132.82.

Victim C

27. Between on or about May 28, 2017, and on or about June 6, 2017, davidbanks1014 engaged in an online chat with another musical.ly user who, for the sake of privacy, is referred to herein as Victim C.

28. During a chat on or about May 28, 2017,⁴ davidbanks1014 repeatedly professed his love for Victim C and made other sexual comments, including the statements “soo beautiful baby,” “your soo hott baby” and “i love how that shirt shows your boobs ?” Victim C shared information about her personal life, including that she had recently had her ears pierced.

29. Victim C also stated that she intended to go swimming and asked davidbanks1014 if she should wear a bikini. davidbanks1014 responded affirmatively and then asked “can I see it.” Victim C then transmitted an image to davidbanks1014 of herself wearing a bikini, after which he asked, “can I see in it.” When Victim C refused, davidbanks1014 reiterated his request multiple times asking “you wont show me down their,” and “can I see down their baby? just 1 time,” and “please can I see.” Based upon the context of the conversation and the other evidence in the case, I

⁴ I believe that the chat logs from Musical.ly are based upon Greenwich Mean Time (“GMT”), which is normally 6 hours ahead of Central Standard Time, and 5 hours ahead of Central Daylight Savings Time (“CDST”). This chat is timed as having occurred in the early morning hours of May 29, 2017, under GMT, which corresponds to mid-evening on May 28, 2017, on CDST. Throughout this affidavit, the dates of chats are based upon CDST.

believe that davidbanks1014 asked Victim C to send to davidbanks1014 an image of her vagina.

30. On or about May 30, 2017, Victim C indicated that she was changing her shirt during a group chat, in response to which davidbanks1014 stated "so your showing your boobs." Victim C then indicated that nobody was watching. When Victim C again stated that she was involved in the group chat and that she was not exposing her breasts, davidbanks1014 begins to express serious anger about the fact that she was not sending alluring images to him. For example, he sent a series of three chat messages in succession that read: "you already showed your boobs on group" "but wont show me" "im mad."

31. Over the next several days, the chat messages between the two became insulting and aggressive, particularly from davidbanks1014, who at various times referred to Victim C by the terms "bitch," "cunt," "whore" and "slut," among other terms. davidbanks1014 also repeatedly claimed that he formerly "loved" Victim C but that he now "hates" her.

32. In subsequent chat messages with Victim C, davidbanks1014 transmitted an image of a Bersa semiautomatic handgun, a concealed carry-style holster and a magazine filled with ammunition, followed by the sequential chat messages:

thats mine
i can and WILL shoot you
keep talking crap
im sick of your crap
now your done

Minutes later, davidbanks1014 stated "im coming for you." Later, davidbanks1014 stated his intention to rape Victim C.

33. At one point during their chat during or about the early morning hours of May 31, 2017, Victim C stated that davidbanks1014 could not hurt her because he did not know where she lived. davidbanks1014 responded that it "won't be hard" and that "ill wait till school starts and see what house you come out of." Victim C replied "I'm yeah I'm going to Summer camp," in response to which davidbanks1014 responded that he will "be their when school starts." davidbanks1014 proceeded to describe various firearms in his possession, including two AK-47s, an AR-15, an SR-556, a Mauser m48 and a .380 caliber Smith & Wesson ("S\$W model 64 .380"), followed by the messages "I can hurt you," and "and then dump you where no one will find you. davidbanks1014 also asserted that he had "a CHL = concealed handgun license" and "i carry a gun every day."

34. Later in the chat, Victim C demanded that davidbanks1014 "show your face or I'm calling the police and FBI," to which davidbanks1014 responded with messages "you dont scare me" and "you gave all that info of your own free will and I have proof I have screenshots of your musicallys."

35. In a subsequent chat exchange on or about May 31, 2017, davidbanks1014 transmitted the following messages in sequence:

want me to be nice to you again?
answer me
go live
and put 1 hand down inside your shorts between your legs
and rub up and down
do it or dont ever talk to me again

Victim C was communicating back during these messages but her messages were not responsive to davidbanks1014's demand. He repeated the demand and then transmitted three images to Victim C, followed by multiple threats to post the revealing images if Victim C did not satisfy his demand ("or im posting the music.ly of you showing your butt with your shorts pulled up into it," "the first 1 show your pussy," and "now... do what i want or i post those ass pics of you."). The images transmitted by davidbanks1014 all appear to be of the same minor female and all constitute what, based upon my experience and training, I would identify as child erotica, namely, images of a girl bending over with her shorts pulled up tightly into her vaginal area. Although the images only depict the individual from below the waist, based upon my experience and training, the images are consistent with those of a pre-pubescent female.

36. In a chat on or about June 1, 2017, davidbanks1014 informed Victim C that he posted the images with Victim C's username. Immediately after, davidbanks1014 made reference to Individual A, who appeared to be davidbanks1014's romantic rival for Victim C's attention. davidbanks1014 stated "hope you are having fun with [Individual A]" followed by "I called the police and reported him as a pedo" and "he'll be killed in jail." Based upon my experience and training and the context of the chat, I believe that davidbanks1014 is stating that he has reported to law enforcement that Individual A is an adult pedophile ("pedo") and, as a result, may be harmed during his period of incarceration. I believe that this

exchange demonstrates that davidbanks1014 is aware that Victim C is under the age of consent.

37. In a chat on or about June 4, 2017, davidbanks1014 indicated that he knew the approximate location where Victim C lived and, after Victim C then suggested that she might move out of her house, davidbanks1014 transmitted the following chat messages:

ill find you
your phone has GPS
im going to fuck you, over and over
and then kill you
So
your tight little pussy is mine

38. According to the search warrant results from Musical.ly, Inc. during the dates over which the foregoing chats with Victim C occurred, the davidbanks1014 account accessed musical.ly from IP addresses 73.9.132.82 or 174.221.137.162, among others.

Victim D

39. On or about June 5, 2017, davidbanks1014 engaged in an online chat with another musical.ly user who, for the sake of privacy, is referred to herein as Victim D.

40. During the chat, davidbanks1014 and Victim D engaged in a sexual discussion. During the discussion, davidbanks1014 asked Victim D if she was masturbating (he asked “are you wet” and “wet down their” and “touching down their”). Victim D replied in the negative. A few minutes later, both Victim D and davidbanks1014 indicated that they were masturbating. davidbanks1014 stated that

he wished to perform oral sex on Victim D (“id love to lick you”) and then asked “can i see,” which I construe as a request that Victim D transmit to him an image or video of her vaginal area during masturbation. Victim D responded “can I see ur first then mine ?” and expressed a desire to have intercourse with davidbanks1014. davidbanks1014 responded by transmitting an image of a penis followed by the message “id love to baby.” Victim D then transmitted an image of what appears to be a prepubescent female’s vagina, with a finger pulling her pants/underwear to the side. davidbanks1014 responded by stating “show me more baby” and “all of it.” Thereafter, Victim D transmitted to davidbanks1014 an image of what appears to be a prepubescent vagina.

41. Search warrant results from Musical.ly included information about the IP address used for various chat sessions but the records were only complete through June 5, 2017, at a time prior to the period during which davidbanks1014 and Victim D engaged in the foregoing chat. However, for a period of longer than nine hours that same day, davidbanks1014 accessed musical.ly from IP address 73.9.132.82. The IP records ended at a point less than two hours prior to the beginning of the chat session between davidbanks1014 and Victim D described above.

D. Evidence Establishing that BARNETT Is the User of the Musical.ly Account davidbanks1014

42. I have received from OPSO the records returned by Musical.ly in response to the State search warrant and I have independently obtained from Musical.ly subscriber records for davidbanks1014. Those records reflect that the musical.ly account for “davidbanks1014” was created on April 22, 2017, using cellular

telephone number (XXX) XXX-1175. The IP address associated with that registration was 70.175.173.104, and the cellular device was identified as a Samsung SM-G920V.

43. I have obtained from Verizon Wireless subscription records for cellular telephone number (XXX) XXX-1175. Those records identify the subscriber of telephone number (XXX) XXX-1175 to "Richard Barnett" at an address in Rochester, New York. The account has been active since December 31, 2009.

44. As discussed above, on the dates of his chat sessions with Victim B, Victim C and Victim D, davidbanks1014 logged into musical.ly using IP address 73.9.132.82. I have obtained from Comcast Communications records regarding the assignment of IP address 73.9.132.82. Those records identify IP address 73.9.132.82 as assigned to a single family home located in Aurora, Illinois ("the Aurora residence"). The telephone number associated with the account is (XXX) XXX-1175.

45. On or about October 4, 2017, I checked Illinois Secretary of State records, which identified the Aurora residence as BARNETT's residence.⁵

46. On or about September 22, 2017, a representative from the United States Postal Service informed me that BARNETT is the only individual listed as receiving mail at the Aurora residence.

47. BARNETT is a federal employee working at Federal Agency A. On or about September 19, 2017, a representative from Federal Agency A advised me that BARNETT presently works at a facility located in Des Plaines, Illinois. Further, the

⁵ Ownership records for the Aurora residence identify two other individuals as the owners of the Aurora residence. This information suggests that BARNETT rents the Aurora residence.

Federal Agency A representative advised me that personnel records for BARNETT reflected a home address at the Aurora residence and a telephone number of (XXX) XXX-1175, since his hiring in or around February 2017.

48. The Federal Agency A representative also informed me that, for the period of March 27, 2017, through May 5, 2017, BARNETT was temporarily stationed in Oklahoma City for training as a new employee. According to Federal Agency A records, BARNETT resided at a corporate housing facility located in Oklahoma City, Oklahoma ("the Oklahoma City housing facility").

49. As noted above, the musically account for davidbanks1014 was established on April 22, 2017, using the IP address 70.175.173.104.

50. As part of its investigation, OPSO obtained records from Cox Communications, Inc. requesting subscriber information for IP address 70.175.173.104 on April 22, 2017. Those records indicate that, on April 22, 2017, the IP address 70.175.173.104 was subscribed to the Oklahoma City housing facility. Based upon the information obtained from the representative of Federal Agency A, BARNETT was living at the Oklahoma City housing facility at the time the account for davidbanks1014 was established.

51. As noted above, the individual using davidbanks1014 asserted in a text exchange with Victim C that he possessed, among other firearms, a "SR-556," as well as a "concealed handgun license." BARNETT has a Facebook account. In his Facebook account, BARNETT has a series of posted photographs from July 17, 2011, that depict him holding a semi-automatic rifle. The message posted with the photographs states,

in part, "My newest Gun. It's a Ruger SR-556FB." In one of the photographs, BARNETT is holding a large white box that has the markings "Ruger" and "SR-556." BARNETT's present Facebook profile photograph is one of the photographs depicting him holding the firearm. Based upon information obtained from the State of Texas, BARNETT had a license to carry a concealed handgun in the State of Texas, which expired on October 4, 2017.

52. On October 13, 2017, I applied to the United States District Court for the Northern District of Illinois for a warrant to search the Aurora residence and seize various items that constitute evidence, instrumentalities, fruits and contraband related to various offenses involving the production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2251, 2252 and 2252A. Based upon that application, this Court, by Presiding United States Magistrate Judge Maria Valdez, issued a search warrant for the Aurora residence (Case No. 17 M 503).

53. On October 16, 2017, I and other law enforcement officers executed the search warrant for the Aurora residence. During the course of the search warrant, searching agents located and seized, among other things, files on a computer inside the Aurora residence that are indicative of child pornography. In particular, there were computer files with descriptive names such as "young girl," "young teen" and "pthc." Based upon my experience and training, I know that "pthc" is a common acronym for "pre-teen hardcore" and is generally used a descriptor for files depicting child pornography.

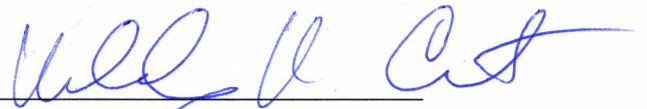
54. BARNETT was present during execution of the search warrant. During execution of the search warrant, I and another FBI Special Agent interviewed BARNETT inside the Aurora premises. BARNETT was not under arrest at the time, and he was explicitly informed that he was not under arrest. During the course of the interview, BARNETT stated that he lived in the Aurora residence by himself and that the davidbanks1014 musical.ly account was his own. He further stated that he lived alone at the Oklahoma City corporate housing facility during his employment training. BARNETT also acknowledged that, at times, he has communicated with minor-aged females using the davidbanks1014 account.⁶ He acknowledged that, at times, he has transmitted images of his own penis to minors with whom he was communicating on musical.ly. He also acknowledged that he has received from minor females images of their exposed genitalia and that there was a time (or times) that he has re-transmitted those images back to the sender. He also stated that, while at times the senders transmit the images on their own initiative, he has solicited minor females on occasion to transmit images of their naked genitalia to him. The foregoing is not a complete summary of the statements BARNETT made during the interview.

⁶ BARNETT said that he opened multiple musical.ly accounts using the name "davidbanks" and could not remember the specific number sequences he used for those accounts.

CONCLUSION

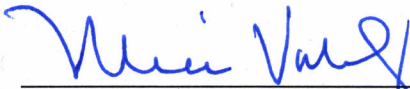
Based on the foregoing information, I respectfully submit that there is probable cause to establish that RICHARD BARNETT committed the offenses charged against him in the Criminal Complaint to which this Affidavit is attached.

FURTHER AFFIANT SAYETH NOT.



Kimberly K. Castro
Special Agent
Federal Bureau of Investigation

Subscribed and sworn
before me this 16th day of October, 2017



HONORABLE MARIA VALDEZ
Presiding United States Magistrate Judge